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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,069	11/30/2001	Scott Carleton Sanner	7784-000302/CPA	6261

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EXAMINER

HARVEY, JAMES R

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,069

Applicant(s)

SANNER ET AL.

Examiner

James R. Harvey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11, 12 and 14-21 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 5.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

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DETAILED ACTION

Claim Cancellations

- The cancellation of claims 1-10 has been made of record.

Continuation –in-Part

- This application repeats a substantial portion of prior Application No. 09/955,919, filed September 19, 2001, and adds and claims additional disclosure not presented in the prior application.

Priority

- Acknowledged is made of applicant's claim for domestic priority under 35 U.S.C. § 120 to a Prior U. S. Application (Serial No. 09/955,919) that was filed 09-19-01.

Information Disclosure Statement

- The Information Disclosure statement(s) and related documents that were filed on and 5-6-02 have been considered.
- Papers submitted 11-30-01 included a copy of United States Patent Application Serial Number 09/943,124 and indicated that a PTO Form 1449 was attached with the papers. However, no PTO Form 1449 is attached.

-- A copy of the PTO Form 1449 that was attached to papers submitted 11-30-01 should be forwarded to the USPTO with applicant's reply to this office action.

Drawings

- The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.
 - Claim 15, the first end of the sliding door frame that is fixedly connected to the seat structure is not shown.
 - Claim 17, line 3; the claim limitation “automatically retracted” is not shown.
 - The above feature(s) must be shown or the feature canceled from the claim. No new matter should be entered.
- **Please note that drawing corrections will no longer be held in abeyance. If drawing correction are not submitted with the response to this office action, the response will be consider a Non-Responsive Reply and the following paragraph will apply:**

The reply filed on (...) is not fully responsive to the prior Office Action because: (...) Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Claim Rejections - 35 USC § 112

- The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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- Claim(s) 15 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- The following have no proper antecedent basis or are considered to be vague and indefinite:
 - In reference to claim 15, Claim 15 is vague and indefinite because the first end of the sliding door frame that is fixedly connected to the seat structure is not shown in the drawings or disclosed in the specification in a precise language to allow one skilled in the art to know the structure that applicant wishes patent protection for. A rejection, as best understood, is addressed below.
 - Claim 17, line 3; the claim limitation “automatically retracted” is vague and indefinite. The claim does not define “automatically retracted” and other than mentioning that it was possible for the drawer to slide back into the stowed position “automatically” on page 17, line 13 of the specification neither the specification or the drawings show or define automatically. For purposes of examination, it is assumed that the “automatically retracted” is met by any structure that gravity, rotational momentum, or linear momentum can act upon. A rejection, as best understood, is addressed below.
 - Appropriate correction of the above is required.

Claim Rejections - 35 USC § 102

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

- Claim(s) 11, 12, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Berry et al. (5311302).

-- In reference to claim 11, Berry shows a connector module adapted to be integrated into a mobile platform, adjacent to a seat of the mobile platform for connecting a portable electronic device to a power source and a network located on-board the mobile platform, the connector module comprising:

a housing 14 (figure 2);

at least one networking port 74 disposed in the housing that can be adapted to couple the portable electronic device to the network that can be used for providing network connectivity of the portable electronic device; and

a mechanism 92 (cover sheet) slidably connecting the housing 14 to a structure 84 of the seat.

-- In reference to claims 12 and 16, Berry shows (cover sheet)

the housing 14 can be positioned on the mechanism between one of a stowed position and a deployed position (arrow 93).

-- In reference to claim 14, Berry (cover sheet) shows the mechanism comprises a sliding drawer frame. The meaning of "sliding door frame" is not set forth in the claims and is thus deemed to be so broad that it is met by the applied reference's element 92 that slides up.

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-- In reference to claim 15, Berry shows the claim as best understood; Berry shows the sliding drawer frame having a first end connected to the seat (attached to the armrest 84) and a second end for receiving the housing and the housing slidably connected to the second end.

-- In reference to claim 17, Berry shows the housing 14 is manually positionable from the stowed position (column 7, line 13-17) to the deployed position and automatically retractable from the deployed position to the stowed position. The meaning of "automatically" is not set forth in the claims and is thus deemed to be so broad that it is met by the applied reference.

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

** Claims 11, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry in view of Williams, Jr. (6038426).

-- In reference to claims 11, 18, and 20, Berry shows

a connector module 14 (cover sheet) connectably attached to a seat of an aircraft that can be used for providing for connecting a portable electronic device to a power source and a network located on-board the aircraft, the connector module comprising:

a housing 82 slidably connected to a support structure of the seat 84;

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at least one networking port (see examiner's figure) disposed in the housing that can be adapted to couple the portable electronic device to the network for providing network connectivity of the portable electronic device;

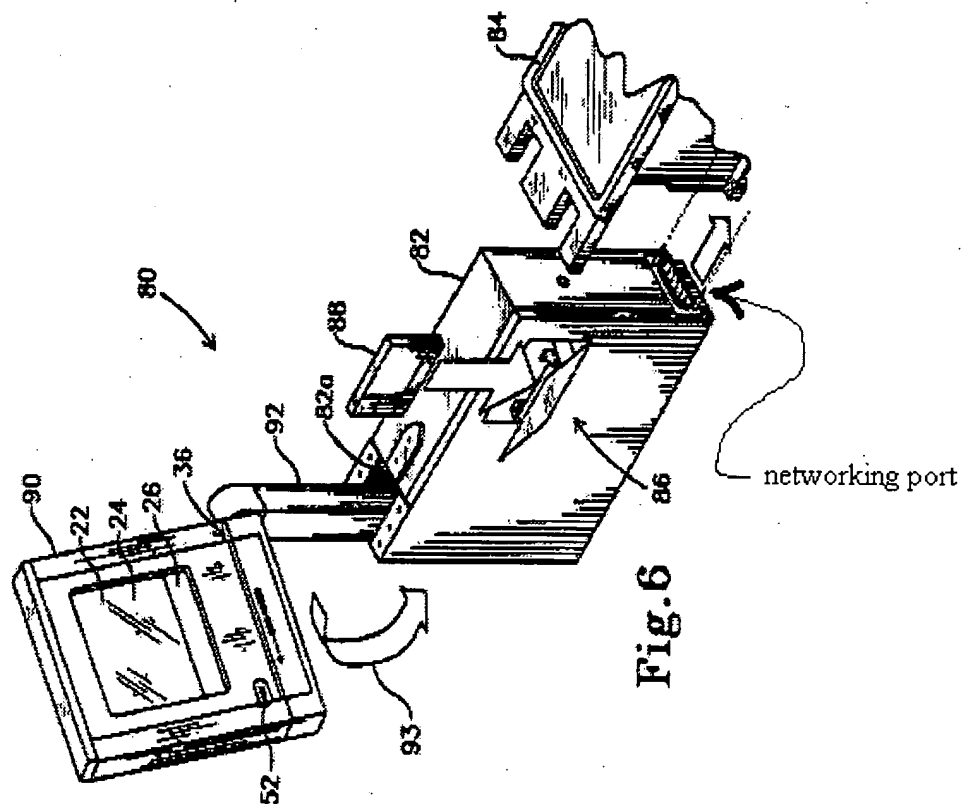
the housing 82 having a manual pull feature for positioning the housing between one of a stowed position (within the armrest 84, see (cover sheet)) to a deployed position (as shown on the cover sheet) and a deployed position to a stowed position.

However, Berry does not show the following:

a power port disposed in the housing adapted to receive an AC power cable of the portable electronic device for providing power to the portable electronic device;

a face of the housing for mounting the networking port and the power port; and

the face of the housing being visible to a user of the seat when the housing is in the deployed position.



Williams shows (figure 5)

a power port 351 disposed in the housing (SEU) that can be adapted to receive an AC power cable (column 5, line 1) of the portable electronic device that can be used for providing power to the portable electronic device;

a face of the housing (adjacent 350 (figure 6) for mounting the networking port and the power port 350; and

the face of the housing being visible to a user of the seat when the housing is in the deployed position. The limitation "being visible to a user" is a broad term it is so broad that applicant's side 368 (figure 9) is visible to a user and meets the broad limitation.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the electronic unit housing of Berry with the seat electronic unit (SEC) of Williams because, as taught by Williams (column 2, lines 48-50), Williams' SEC allows the line-replaceable seat electronic unit to be quickly and easily replaced which helps to avoid flight delays (column 2, lines 20-24).

** Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry in view of Williams, Jr. (6038426) and further in view of Francis (6315618).

-- In reference to claims 19 and 21, Berry in view of Williams shows the at least one networking port comprises at least one of a universal serial bus port (column 5, line 24).

However, Berry or Williams do not show a RJ-45 port and a 15 volt DC power connector. Williams teaches an RJ-11 (column 3, line 69).

Francis teaches that the RJ-11 connector shown by Williams could be a RJ-45 (column 5, lines 1-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the RJ-11 connector of Williams with a RJ-45 because, as taught by Francis (column 5, lines 1-10), platforms can vary to accommodate different types of RJ connectors.

Further, neither Berry, Williams, or Francis specifically teach a 15 volt DC power connector. Williams only teaches a 12 volt (column 5, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to change Williams' connector from a connector intended for using 12 volts to a connector that uses 15 volts, since it has been held a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed

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apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Allowable Subject Matter

1. Claim 13 has allowable subject matter.
2. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter:
The claim as a whole including the limitation of the stowed position of the housing located under the front beam of the seat within a footprint of the seat and the deployed position of the housing is located partially beneath the front beam of the seat and extending at least partially beyond the footprint envelope of the seat is not taught in the prior art nor is it obvious to combine with the prior art.

Conclusion

- The prior art listed on PTO form 892 that is made of record and not relied upon is considered pertinent to applicant's disclosure because it shows the state of the art with respect to applicant's claimed invention.
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 703-305-0958. The examiner can normally be reached on 8:00 A.M. To 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 703-308-2319. The fax phone numbers for the organization

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where this application or proceeding is assigned are 703-305-7724 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0952.

James R. Harvey, Examiner

jrh

March 21, 2003



THO D. TA
PRIMARY EXAMINER